EXHIBIT A

►AO88 (Rev. 12/06) Subpoena in a Civil Case

Issued by the

UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBI	ι ν	
Magten Asset Management Corporation and	SUBPOENA IN	A CIVIL CASE
Law Debenture Trust Company of New York, Plaintiffs,		
v. NorthWestern Corporation, Defendant.	Civil Action No. 04- Pending in the U.S. District of Delaware	District Court for the
Magten Asset Management Corporation, Plaintiff,	District of Domina,	
Michael J. Hanson and Ernie J. Kindt, Defendants.	Civion Action No. 0 Pending in the U.S. District of Delaware	District Court for the
TO: Records Custodian PAUL HASTINGS JANOFSKY & WALKER LLP 875 15th Street, N.W. Washington, DC 20005		
YOU ARE COMMANDED to appear in the United States Distr testify in the above case.	ict court at the place, d	ate, and time specified below to
PLACE OF TESTIMONY		COURTROOM
		DATE AND TIME
X YOU ARE COMMANDED to appear at the place, date, and tim	e specified below to te	stify at the taking of a deposition
in the above case. *	•	
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC		DATE AND TIME 9.00 a.m. February 15, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob	20004* nd copying of the follo	February 15, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC	20004* nd copying of the follows):	February 15, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC 2 YOU ARE COMMANDED to produce and permit inspection at place, date, and time specified below (list documents or objects)	20004* and copying of the follows:	February 15, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC 1001 Pennsylv	20004* and copying of the follows: L. LLP 004	February 15, 2008; wing documents or objects at the DATE AND TIME 5:00 p.m. February 5, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC 1001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Ave., NW, Washington, DC 2001	20004* and copying of the follows: L. LLP 004	February 15, 2008; wing documents or objects at the DATE AND TIME 5:00 p.m. February 5, 2008
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC YOU ARE COMMANDED to produce and permit inspection as place, date, and time specified below (list documents or objects Documents identified in attached Schedule And Place Fried Frank Harris Shriver & Jacobson 1001 Pennsylvania Ave., NW, Washington, DC 2001 YOU ARE COMMANDED to permit inspection of the follows:	20004* Ind copying of the follows: In LLP 004 Ing premises at the date of the follows: In good a deposition shall the follows:	pate and time specified below. Date and time specified below. Date and time specified below.
PLACE OF DEPOSITION Fried Frank Harris Shriver & Jacob 1001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Place, date, and time specified below (list documents or objects Documents identified in attached Schedule Area 1001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Ave., NW, Washington, DC 2001 Pennsylvania Ave., NW, Washington, DC 2001 PREMISES Any organization not a party to this suit that is subpoenaed for the take directors, or managing agents, or other persons who consent to testify on it matters on which the person will testify. Federal Rules of Civil Procedure ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY FOR PLACE ISSUI	20004* Ind copying of the follows: In LLP 004 Ing premises at the date ing of a deposition shall at the behalf, and may set for the company of the comp	pate and time specified below. Date and time specified below. Date and time specified below.
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(See Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), on next page)

¹ If action is pending in district other than district of Issuance, state district under case number.

^{*} Deponent will not be required to appear if the documents are produced by the date and time specified herein.

PROOF OF SERVICE			
SERVED	DATE 1/25/08 PLACE Paul Hastings, et al., 875 15th Street Washington, D.C. 20005	t, N.	
RVED ON (PRINT NAME)	MANNER OF SERVICE		
ecords Custodian aul Hastings, et al.,	Served by hand on Kathryn M. Medina, who was authorized to accept service on behalf of Records Custodian.		
RVED BY (PRINT NAME)	TITLE		
oseph R. DeSantis	Coordinator, Managing Attorney's Office		
	DECLARATION OF SERVER		

January 28,

Rule 45, Federal Rules of Civil Procedure, Subdivisions (c), (d), and (e), as amended on December 1, 2006:

2008

DATE

(c) PROTECTION OF PERSONS SUBJECT TO SUBPORNAS

Executed on

(i) A party or an attorney reaponable for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undur burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sauction, which may include, but is not limited to, lost carnings and a reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection, copying, testing, or sampling of designated electronically stored information, books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d)(2) of this rule, a person commanded to produce and permit inspection, copying, testing, or sampling may, within 14 days after service of the subpoens or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to producing any or all of the designated materials or inspection of the premises — or to producing electronically stored information in the form or forms requested. If objection is made, the party serving the subpoens shall not be entitled to inspect, copy, test, or sample the materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, pursuant to an order or the country without the subject to the person commanded to produce, move the party serving the subpoens may, upon notice to the person commanded to produce, move me for an order to compel the production, inspection, copying, testing, or sampling. Such an order to compel shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection, copying, testing, or sampling commanded.

(3) (A) On timely motion, the court by which a subpoens was issued shall quash or modify the subpoens if it

(i) fails to allow reasonable time for compliance;

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend trial be commanded to travel from any such place within the

(iii) requires disclosure of privileged or other protected matter and no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) If a subpoens
(i) requires disclosure of a trade secret or other confidential research, development.

or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made

not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject

to or affected by the subpoens, quash or modify the subpoens or, if the party in whose behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

1001 Pennsylvania Avenue, N.W.,

Suite 800, Washington, D.C. 20004-2505

(d) DUTIES IN RESPONDING TO SUBPOENA.

ADDRESS OF SERVER

OF SERVER

(1) (A) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand,

(B) If a subpoena does not specify the form or forms for producing electronically stored information, a person responding to a subpoena must produce the information in a form or forms in which the person ordinarily maintains it or in a form or forms that are reasonably usable.

(C) A person responding to a subpoens need not produce the same electronically stored information in more than one form.

(D) A person responding to a subpoena need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or to quash, the person from whom discovery is sought must show that the information sought is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) (A) When information subject to a subpocna is withheld on a claim that it is privileged

or subject to protection as trial-preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

(B) If information is produced in response to a subpoena that is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified. a party must promptly return, sequester, or destroy the specified information and any copies it has and may not use or disclose the information until the claim is resolved. A receiving party may promptly present the information to the court under seal for a determination of the claim.

If the receiving party disclosed the information before being notified, it must take reasonable steps to retrieve it. The person who produced the information must preserve the information antil the claim is resolved.

(e) CONTEMPT. Pailtire of any person without adequate excuse to obey a subpoena served upon that person may be deemed a contempt of the court from which the subpoena issued. An adequate cause for failure to obey exists when a subpoena purports to require a nonparty to attend or produce at a place not within the limits provided by clause (ii) of subparagraph (c)(3)(A).